IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6815 of 2008
BINDU YADAV
Versus
THE STATE OF BIHAR
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02. 16.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation is that dead body of the deceased was recovered from the field in the morning and suspicion had been raised against 11 named accused persons, including the petitioner, because it was the prosecution case that sometime back they had threatened her. Learned counsel for the petitioner further states that neither there is any eye witness to the occurrence, nor there is any material to connect the petitioner with alleged offence, nor there is any evidence on record to support the report of the investigating officer. Learned counsel for the petitioner also avers that it is claimed by the police that petitioner had made confessional statement, but the said claim is absolutely wrong as the petitioner had never given any confessional statement as he had not taken part in the said offence. Learned counsel for the petitioner further contends that the investigating officer has stated that one blood stained Baishakhi was recovered from his house, but there is no material at all to support the said statement. Learned counsel for the petitioner also submits that the petitioner has been falsely implicated and he has got no criminal antecedents, but he is in custody since June, 2007.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner, namely Bindu Yadav, be released on bail on furnishing bail bond of Rs.10,000.00 (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah in connection with Arrah Muffasil P.S.Case No.127 of 2007.

sunil

(S.N.Hussain,J.)

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